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TITLE Follow through Amendments of 1983. Mr. Perkins, from the Committee on Education and Labor, Submitted the Following Report together with Supplemental Views (To Accompany H. R. 2148), (Including Cost Estimate of the Congressional Budget Office). House of Representatives, 98th Congress, 1st Session, Report No. 98-160.

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ABSTRACT

The Committee on Education and Labor strongly recommends the adoption of H. R. 2148, a bill that, with two major additions, would basically reenact Project Follow Through for an additional year as it is currently authorized under the Omnibus Reconciliation Act of 1981. The two additions would provide for review and evaluation of what has been learned from Follow Through during the past 15 years. Substantial sections in this report provide (1) an introduction briefly describing the origin of Project Follow Through and providing a rationale for its extension; (2) a description of the legislative history of the project; (3) a discussion of legislation considered by the committee; (4) the Congressional Budget Office cost estimate for the proposed extension; and (5) changes in existing law made by the bill. Sections of Title I of the Economic Opportunity Act of 1964, Title VI of the Omnibus Budget Reconciliation Act of 1981, and Title VIII of the Native American Programs Act of 1974 are included. These sections focus, respectively, on Follow Through, community services, and Native American programs. (RH)

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98TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
No. 98-160

ED241132

FOLLOW THROUGH AMENDMENTS OF 1983

MAY 16, 1983.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PERKINS, from the Committee on Education and Labor, submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS

[To accompany H.R. 2148]

[Including cost estimate of the Congressional Budget Office]

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The Committee on Education and Labor, to whom was referred the bill (H.R. 2148) to reenact the Follow Through Program with certain technical changes, to authorize appropriations for such program for fiscal years 1984 and 1985, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause of the bill and insert a new text which appears in italic type in the reported bill.

I. INTRODUCTION

In President Johnson's war on poverty, which began in 1964 with the Economic Opportunity Act, the needs of children were primarily addressed indirectly through their families. This was remedied with the establishment of Head Start and again, in 1967, when the Follow Through Program was given a separate legislative identity. Now, 15 years later, Follow Through, which provides comprehensive educational services to low income children, is being phased out by the Omnibus Reconciliation Act of 1981 and is due to expire at the end of fiscal year 1984.

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During Follow Through's 15 year existence, considerable money has been invested and many exemplary educational programs benefiting low income children developed. The Follow Through Program literally "follows through" on developmental gains made by disadvantaged children in pre-school programs like Head Start, as those children enter public schools.

The services that Follow Through offers to children are far-reaching. While program scope has been considerably reduced since Follow Through was at its peak in the late 1970's, when about 100,000 children were directly served, more than 30,000 disadvantaged children in 69 school districts were served through Follow Through last year. Nearly half a million others benefit indirectly as their school districts replicate successful models without direct federal assistance. At the present time, over 700 additional communities are using the Follow Through techniques.

There are several forms of assistance provided by Follow Through. Direct assistance is given to local school projects to implement various models designed to provide comprehensive educational, health, nutritional, and social services. Institutions of higher education, referred to as "sponsors," are involved in developing the models. Local programs that have been recognized as exemplary by the Department of Education receive additional funds to act as "resource centers." These centers disseminate Follow Through techniques throughout the nation and conduct training and outreach activities in collaboration with the sponsors who developed the original program model. Parental involvement is mandated.

Much of what has been accomplished during the past 15 years will be lost unless the program is continued long enough for the knowledge which has been developed to be thoroughly reviewed and programs comprehensively evaluated and compared. In this regard, the bill provides new authority for a bipartisan National Advisory Commission on Follow Through Education to review all Follow Through models and suggest those most conducive to replication. Furthermore, the Secretary of Education would be authorized to examine all past evaluations and "sum-up" in one report what has been learned thus far. Particular attention would be paid to how effective these programs have been in narrowing the gap in successful educational performance between children from low-income families and children from non-low-income families.

Follow Through would be extended through fiscal year 1985, at its current service level, in order to provide an additional year to determine what the appropriate Federal role should be for 1986. Additional sums are also provided for the National Advisory Commission on Follow Through Education.

II. Legislative History

The Federal effort to combat poverty on the part of children evolved through the Economic Opportunity Act of 1964. The Follow Through program had its origins in the Economic Opportunity Act of 1964 as part of the Head Start Program established under title II-A. Follow Through at that time was not a separate entity apart from Head Start. Separate legislative authority for Follow Through came with the passage of the Economic Opportunity Act Amend-

ments of 1967 (Public Law 90-222, title II-B) Follow Through was authorized to provide comprehensive educational and related services to Head Start children as they entered kindergarten and elementary school. The program was established as a discretionary grant program under the Office of Economic Opportunity (OEO). No specific authorization level was set for Follow Through by this legislation. The Director was allowed to determine, at his own discretion, how much of the funds appropriated for Head Start and Follow Through would be used for the Follow Through programs.

In October of 1969, H.R. 12321 was reported by the House Committee on Education and Labor. H.R. 12321, as reported, added a new title to the Economic Opportunity Act to strengthen the Head Start and Follow Through programs. The House, by voice vote, substituted the language of H.R. 12321 for the language of the Senate reported bill S. 3016 and the House then passed S. 3016 as amended.

The conference report, filed in December, modified the House emphasis on Follow Through Programs. On December 30, 1969 the Economic Opportunity Amendments of 1969 were signed into law by the President. Funding for Follow Through remained part of the Head Start budget request through fiscal year 1970. However, in fiscal year 1971, Follow Through became a separate item in the budget request submitted by the Department of Health, Education and Welfare, to which administrative responsibility for Follow Through had been transferred.

The Community Services Act of 1974 (Public Law 93-644, title V-B) reauthorized the Follow Through Program, establishing specific authorization levels for appropriations, determining grant approval and award procedures, and clarifying authorized program activities. The Act also formally transferred program authority for Follow Through from the Director of the Office of Economic Opportunity to the Secretary of Health, Education and Welfare.

Follow Through was again reauthorized by the Economic Opportunity Amendments of 1978 (Public Law 95-568). The 1978 amendments established new authorization levels for appropriations (for fiscal years through fiscal year 1981), designated categories for grant awards, outlined procedures for public announcement of the grantees or contracts, authorized research and evaluation studies, and required provisions of technical assistance and training to grant recipients. Also included in the 1978 amendments were provisions for the participation of non-public school children in the program. With the passage of the Department of Education Organization Act (Public Law 96-88), administrative authority for Follow Through was transferred from the Secretary of Health, Education and Welfare to the Department of Education. The Follow Through Program is now administered by the Office of Elementary and Secondary Education in the Department of Education.

On May 19, 1981, the House Education and Labor Committee reported H.R. 3045, the Economic Opportunity Act amendments of 1981 (House Report 97-69). This bill would have reauthorized the Follow Through program for an additional five years at a level of $34,500,000 for fiscal year 1982 and "such sums as may be necessary for each fiscal year through 1986. However, the committee bill was overtaken by the Omnibus Reconciliation Act of 1981.

On April 13, 1981, Congress passed H.R. 3982, the Omnibus Reconciliation Act of 1981 (Public Law 97-35). Under provisions of this Act (Title VI, Chapter 8, Part 4, Subchapter C), the Follow Through Program was reauthorized for fiscal years 1982 through 1984, with progressively decreasing authorization levels. As of October 1, 1984, the Follow Through Act would be repealed.

III. Hearings

Hearings on H.R. 2148 were held in Washington, D.C. before the Subcommittee on Human Resources on Wednesday, April 20, 1983. Additionally, oversight hearings on the Head Start-Follow Through program (Title V of the Economic Opportunity Act of 1964) were held on several occasions during the 97th Congress.

Testifying at the reauthorization hearing on April 20, 1983 were: Representative John E. Porter; Dr. Lawrence Davenport, Assistant Secretary for Elementary and Secondary Education, accompanied by Mr. Louis McGuinness, Director of Follow Through, Ms. Monika Edwards Harrision and, Mr. John Staehle; Dr. Robert Egbert; Dr. Eugene A. Ramp; Dr. Virgie Binford; Ms. Dorothy Barbour; and Mr. Warren Griffin.

The committee also received written testimony from many interested parties. The committee has fully considered all views presented in recommending the legislation here reported.

IV. Legislation Considered by the Committee

H.R. 2148, with two major additions, would basically reenact the Follow Through Program for an additional year as it is currently authorized under the Omnibus Reconciliation Act of 1981. The two additions would provide for a "summing-up" of what has been learned from Follow Through during the past 15 years. To facilitate this summary evaluation and review, the committee intends that the Follow Through Program continue in its present form for an additional year while the review and evaluation is taking place.

Assistance currently authorized by the Follow Through Program is provided in several ways. Direct assistance is given to local school projects to implement various models designed to provide comprehensive educational, health, nutritional, and social services. Institutions of higher education, referred to as "sponsors," are involved in developing the models. Local programs that have been recognized as exemplary by the Department of Education receive additional funds to act as "resource centers." These centers disseminate Follow Through techniques throughout the nation and conduct training and outreach activites in collaboration with the sponsors who developed the original program model. Parental involvement is mandated.

Follow Through is a federally sponsored education program which develops and provides high quality classroom programs and supportive services to disadvantaged children in pre-school programs like Head Start as those children enter public schools. The committee strongly believes that the extension of Follow Through for one additional year, as provided in the committee bill, is necessary. Much of what has been learned about children who have par-

ticipated in the Follow Through Program will be lost unless this extension is provided.

While the administration has proceeded to phaseout Follow Through, sometimes disregarding explicitly expressed congressional intent in the process, no comparative analysis of the 15 models which have been developed has been undertaken. If the program is allowed to expire without such an analysis, much of the potential represented in the last fifteen years of work will be for naught. The committee's priority objective in reenacting this program is to "sum-up" what has been learned thus far so accumulated knowledge about assisting disadvantaged children in the primary grades can be maximized in federal, state, and local programs.

The committee bill would maintain Follow Through as it is with a few additions. The first is new authority for the establishment of a bipartisan National Advisory Commission on Follow Through Education to review all Follow Through models to determine those most conducive to replications by state and local education agencies. This Commission would consist of fifteen members chosen from among persons who have special knowledge concerning kindergarten and primary grade education of children primarily from low-income families and persons who have special training or experience in comprehensive early childhood development and services. Four members would be chosen by the Secretary of Education from among staff and parents involved in Follow Through projects and sponsoring institutions.

The bill would further expand the authority of the Secretary of Education to evaluate all previous project reports and evaluations in order to "sum-up," in one report, the currently developed knowledge base. The Secretary's Report would be submitted to the President and Congress on January 30, 1985. It would specifically evaluate and compare the impact of all developed Follow Through models with regard to: (1) Their effectiveness; (2) their impact on related programs; (3) their impact on preschool elementary school linkage efforts to enhance the continuity of the child's development; (4) their structure and mechanism for delivery of services; and (5) their effectiveness in narrowing the gap in successful educational performance between children from low-income families and children from non-low-income families. The committee believes this last area of comparison deserves special attention.

The committee bill would provide for authorization levels consistent with that of Congressional Budget Office current policy levels. An additional amount is authorized in fiscal year 1984 and fiscal year 1985 for the National Advisory Commission on Follow Through Education. The authorization figure contained in the committee bill is intended to maintain Follow Through in its present form at current service levels, while reviews and evaluations are conducted. This should include the maintenence of all facets of the program including the existing fifteen sponsoring institutions, the existing local project sites, and the current resource centers that are now recognized by the Department of Education.

The committee bill also amends Title VIII of the Economic Opportunity Act, the Native American Programs Act of 1974. The amendments are intended to accomplish three objectives. First, the bill would extend indefinitely the prohibition now in effect for

Fiscal Year 1983 on the transfer of programs under Title VIII to agencies outside the Department of Health and Human Services. The administration of these programs by the Administration for Native Americans (ANA) within HHS has provided necessary flexibility and enabled these programs to serve all elements of their statutorily defined service populations. Indian tribes and organizations have testified that they want the program continued with ANA. The committee concurs.

Second, the bill requires that Native American programs be made available to all types of Indian and Native American orgnizations eligible for assistance, including federally recognized tribal governments, nonfederally recognized tribal organizations and Indian and Native American groups serving Indian and Native American people living in off-reservation areas, both urban and rural. No potential grantee could be denied assistance solely on the basis of its status with respect to federal recognition. The committee heard testimony that ANA already denied funding to many existing grantees, including off-reservation organizations serving areas with sizeable Indian populations, and further intends to phase out this aspect of its program altogether. The committee believes that ANA financial assistance should be widely available to tribal governments and to off-reservation groups serving Indian and Native American communities in all parts of the country with significant concentrations of Indian and Native American people and has included language in the bill to accomplish this intent. The language also emphasizes the applicability of the general principle of Indian self-determination in Public Law 93-638 to these programs by requiring that the activities supported be consistent with each organization's objectives and chosen approaches to development, as well as to the broad purposes set forth in Section 802 of the Native American Program Act.

Third, the Committee bill requires that at least 90 percent of the available funds be used for the basic program in Section 803. This will insure that the money will go to support the development efforts and service programs of grantees working directly with local Indian and Native American communities, rather than special research or other activities dictated by federal agency priorities.

V. Conclusion

At the present juncture, Follow Through stands at a crossroads. For fifteen years, it has successfully developed, implemented and demonstrated various educational models to assist low-income children in the primary grades. If the program remains on its present course, it will expire at the end of fiscal year 1984 without a comprehensive review and evaluation comparing each of the various models. While States or local school districts would certainly be free to implement one model or the other on their own, no comparative analysis will exist to guide them as to the various strengths and weaknesses of one model or the other. There will be no source of technical assistance. Adoption and replication, should it occur, will likely be left to happenstance.

The committee believes that H.R. 2148 provides a better way. Programs would continue, as they are, at the current service level,

for one additional year through fiscal year 1985. During this time, a comprehensive evaluation will be conducted and a report issued to Congress before any new legislation would be considered. A bipartisan National Advisory Commission on Follow Through Education would conduct a separate review with an eye toward judging those approaches most conducive to State and local replication. Before Follow Through would expire at the end of fiscal year 1985, Congress, as well as State and local educational agencies, would have greatly expanded resources upon which to make informed decisions. The committee strongly recommends the adoption of H.R. 2148.

VI. Committee Approval

In compliance with clause a(1)(2)(B) of rule XI of the Rules of the House of Representatives, the committee states that on May 4, 1983 a quorum being present, the committee favorably reported H.R. 2148, as amended, by a unanimous voice vote.

VII. Oversight Statement

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, this report embodies the findings and recommendations of the Subcommittee on Human Resources established pursuant to clause 2(B)(l) of Rule X of the House of Representatives and rule 18(a) of the Rules of the Committee on Education and Labor. Pursuant to its responsibilities, the committee has determined that legislation should be enacted as set forth in H.R. 2148, as amended.

VIII. Inflationary Impact Statement

In compliance with clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the committee estimates that the enactment into law of H.R. 2148 will have little inflationary impact on prices and costs in the operation of the national economy. It is the judgment of the committee that the inflationary impact of this legislation as a component of the Federal budget is negligible.

IX. Oversight Findings and Recommendations of the Committee on Government Operations

In compliance with clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the committee states that no findings or recommendations of the Committee on Government Operations were submitted to the committee.

X. Cost of Legislation

A. Estimate of the Congressional Budget Office

In compliance with clauses 2(l)(3) (B) and (C) of rule XI of the House of Representatives, the estimate and comparison prepared by the Director of the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, as timely submitted prior to the filing of this report, is set forth below.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 9, 1983.

Hon. CARL D. PERKINS,
Chairman, Committee on Education and Labor, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 2148, the Follow Through Amendments of 1983, as ordered reported by the House Education and Labor Committee, May 5, 1983.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 2148.
2. Bill title: Follow Through Amendments of 1983.
3. Bill status: As ordered reported by the House Education and Labor Committee, May 5, 1983.
4. Bill purpose: The primary purpose of this bill is to reenact the Follow Through program authorized under the Economic Opportunity Act of 1964 and to authorize the program through 1985. This bill is subject to subsequent appropriations action.
5. Estimated cost to the Federal Government:

[By fiscal year, in thousands of dollars]

	1984	1985	1986	1987	1988
Authorization level:					
Follow Through grants	7,383	23,000			
National Commission	500	525			
Total authorization level	7,883	23,525			
Estimated total outlays	551	7,086	18,124	5,645	

The costs of this bill fall within function 500.

Basis of estimates: The Following Through Program is currently authorized for 1984 under the Omnibus Reconciliation Act of 1981 at $14,767 thousand. The 1984 cost associated with this bill reflects only the increase to the currently authorized amount. The 1985 level is specifically stated in the bill. The national commission 1984 authorization level is the amount stated in the bill. The 1985 authorization level is based on the 1984 level inflated by the CBO projection for the consumer price index.

Estimated total outlays assume full appropriation of authorized level. The outlays reflect the program's current funding pattern.

6. Extimated cost of State and local governments: These grants are awarded on a competitive basis for specific programs and projects to school districts, as well as public and nonprofit private agencies and institutions. In 1982 about 60 percent of the awards went to school districts. An increase in this program could affect

local government by making additional federal funds available to local school districts for Follow Through programs. There is no matching requirement.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Deborah Kalcevic.

10. Estimate approved by: C. G. Nuckols (for James L. Blum, Assistant Director for Budget Analysis.)

XI. Section-by-Section Analysis

Section 1 provides that this act may be cited as the "Follow Through Amendments of 1983."

Section 2 amends the Economic Opportunity Act of 1964 to provide for a new title authorizing Follow Through Programs.

SHORT TITLE

Section 101 of such title provides that the title may be cited as the Follow Through Act.

STATEMENT OF PURPOSE

Section 102 such title provides that the purpose of such title is to provide financial assistance for local educational agencies to help primarily low-income children previously enrolled in Head Start or similar programs continue to develop to their full potential.

DEFINITIONS

Section 103(1) of such title defines the term Commission to mean the National Commission on Follow Through Education.

Section 103(2) of such title defines the term financial assistance.

Section 103(3) of such title defines the term Secretary to mean the Secretary of Education.

Section 103(4) of such title defines the term "State."

FINANCIAL ASSISTANCE FOR FOLLOW THROUGH PROGRAMS

Section 104(a) of such title authorizes the Secretary to provide financial assistance to local education agencies, coordinators of such agencies, and other agencies, organizations and institutions to carry out Follow Through programs.

Section 104(b)(1) of such title provides that, whenever, the Secertary determines that a local educational agency receiving assistance is unable or unwilling to include eligible children enrolled in nonprofit private schools, the Secretary provides assistance directly to another public or appropriate agency.

Section 104(b)(2) of such title provides that, whenever the Secretary determines it is otherwise necessary to accomplish the purposes of section 104, the Secretary may provide assistance directly to another public or appropriate private agency.

Section 104(c) of such title provides that such services will aid in the continued development of children as described in 104(a) to their full potential and that such programs provide for participation of parents in the overall direction of the program at the local level. The Secretary can determine that non-low income children

may participate in the program if the purpose and effectiveness of the program are not diluted.

AUTHORIZATION OF APPROPRIATIONS

Section 105(a)(1) of such title authorizes for the purposes of that title $22,150,000 for fiscal year 1984 and $23,000,000 for fiscal year 1985.

Section 105(a)(2) of such title requires that funds appropriated shall remain available for obligation and expenditure during the succeding fiscal year.

Section 105(b) of such title limits the Federal assistance of 80 percent of approved program costs with a waiver provision.

Section 105(c) of such title requires that project services be in addition to rather than a substitute for existing services provided without Federal assistance.

RESEARCH, DEMONSTRATION, AND PILOT PROJECTS

Section 106(a) of such title authorizes the Secretary by contract or grant to provide financial assistance to public or private agencies for research, demonstration or pilot projects.

Section 106(b) of such title authorizes the Secretary to establish an overall plan with specific objectives and priorities, for their approval.

ANNOUNCEMENT OF RESEARCH, DEMONSTRATION, AND PILOT PROJECT GRANTS AND CONTRACTS

Section 107(a)(1) of such title provides that the Secretary shall make a public announcement concerning the title, purpose, completion date, grantee or contract identification, cost of any grant or contract under this title.

Section 107(a)(2) of such title provides that the Secretary announce results, findings, data, or recommendations of projects.

Section 107(b) of such title requires that the required public announcements of grants be made within 30 days and the public announcements of results be made not less than 90 days after their receipt.

Section 107(c) of such title requires the Secretary to assure that all studies, proposals, and date become property of the United States.

Section 107(d) of such title requires the Secretary to publish summaries of projects pursuant to section 106 and submit them to Congress.

EVALUATION

Section 108(a) of such title authorizes the Secretary, in consultation with the Commission, by contract or grant, to provide for review and analysis of all previous evaluations and reports connected with Follow Through and provided a comprehensive evaluation report regarding: (1) effectiveness; (2) impact; (3) linkages; (4) structure; and (5) successful performance and shall be submitted to the President and Congress by January 30, 1985.

Section 108(b) of such title requires the Secretary to develop and publish standards for evaluation.

Section 108(c) of such title requires the Secretary whenever feasible, to obtain specific views of Follow Through participants.

Section 108(d) of such title requires the Secretary to publish results of evaluations, and submit them to Congress 90 days after completion.

Section 108(e) of such title requires that the Secretary assure that all studies become the property of the United States.

TECHNICAL ASSISTANCE AND TRAINING

Section 109 of such title authorizes the Secretary, directly or through grants, to provide technical assistance and training in furtherance of the purposes of this title.

SPECIAL CONDITIONS

Section 110(a) of such title provides that grantees should make maximum employment opportunities available to parents of program participants and community residents.

Section 110(b) of such title provides for adequate notice and fair hearings prior to suspension of grants.

Section 110(c) of such title provides for adequate notice and fair hearings prior to termination for failure to comply.

COMPARABILITY OF WAGES

Section 111 of such title requires the Secretary to ensure that salaries are not in excess of prevailing rates of compensation in communities for comparable responsibilities.

NONDISCRIMINATION PROVISIONS

Section 112(a) of such title prohibits financial assistance under this title unless the grant or contract provides that there be no discrimination in any program due to race, creed, color, national origin, sex, political affiliation or beliefs.

Section 112(b) of such title provides that no person can be excluded from participation on the basis of sex.

Section 112(c) of such title prohibits financial assistance to any recipient which discriminates on the basis of a handicapping condition.

LIMITATION WITH RESEPCT TO CERTAIN UNLAWFUL ACTIVITIES

Section 113 of such title prohibits participation of Follow Through employees with respect to unlawful demonstrations, rioting or civil disturbance.

POLITICAL ACTIVITIES

Section 114(a) of such title provides that the agency which is responsible for planning, developing, and coordinating Follow Through programs shall be regarded as a state or local agency.

Section 114(b) of such title prohibits political activities from partisan political activities and voter registration.

ADVANCE FUNDING

Section 115 of such title provides for advance funding to afford adequate notice of funding available under this part.

NATIONAL COMMISSION OF FOLLOW THROUGH EDUCATION

Section 116(a) of such title established a bipartisan National Commission on Follow Through Education and provides composition requirements.

Section 116(b) of such title provides that members serve for the life of the Commission.

Section 116(c)(1) of such title provides that members be appointed not later than 90 days after enactment.

Section 116(c)(2) of such title provides for the filling of vacancies.

Section 116(d) of such title provides that the President shall appoint a chairperson.

Section 116(e) of such title provides that the Commission meet at the call of the chairperson at least quarterly, and establishes quorum requirements.

Section 116(f) of such title directs the Commission to: (1) review pertinent research and evaluations of all Follow Through programs; (2) determine the most effective Follow Through program approaches; (3) recommend actions to facilitate replication of effective approaches including their use in other compensatory education programs, and in general education programs; and, (4) submit a report by January 30, 1985 to the President and Congress of activities, findings, determinations, and recommendations.

Section 116(g)(1) of such title provides for compensation of Commission members on a daily basis while doing the work of the Commission.

Section 116(g)(2) of such title provides that Commission members be allowed travel expenses and per diem allowances.

Section 116(h)(1) of such title provides, with the Commission's approval, for the appointment of staff as the chairperson deems appropiate.

Section 116(h)(2) of such title establishes the provisions for staff employment.

Section 116(i) of such title provides for administrative support by the Administrator of the General Services Administration.

Section 116(j) of such title provides for the termination of the Commission on September 30, 1985.

Section 117(k) of such title authorizes for the purposes of the Commission $500,000 for fiscal year 1984 and such sums as may be necessary for fiscal year 1985.

CONTRACT AUTHORITY

Section 3 provides that authority to enter into contracts made by section 2 shall be effective only to the extent as provided in advance in appropriation Acts.

REPEALER

Section 4(a) repeals chapter 8, subtitle A, title VI of the Omnibus Budget Reconciliation Act of 1981, except as provided in subsection (b) of this section.

Section 4(b) provides that section 657 of the Head Start Act will continue to apply to appropriations to carry out in fiscal year 1984 the Follow Through Act as in effect before the date of this Act.

NATIVE AMERICAN PROGRAMS

Section 5(a) amends section 803(a) of the Native American Programs Act of 1974 to provide that approval of financial assistance shall be made without regard to whether the agency making a request serves Indians who are not members of a federally recognized tribe.

Section 5(b) amend section 803(c) of the Native American Programs Act of 1974 to make a conforming amendment and to provide that no project may be disapproved for assistance soleiy because it is an Indian organization in a nonreservation area or serves Indians in such an area.

Section 5(c) amends section 812 of the Native American Programs Act of 1974 in order to provide that the general administration of programs under the Act shall remain within the Department of Health and Human Services and may not be transferred and in order to limit the power of the Secretary of HHS and the Commissioner of the Administration for Native Americans to delegate authority outside the Department of Health and Human Services.

Section 5(d) amends Section 813 of the Native American Programs Act to make a conforming amendment and to clarify that the word "Secretary" means the Secretary of Health and Human Services.

Section 5(e) amends section 814 of the Native American Programs Act to make a conforming amendment and to provide that not less than 90 percent of the available funds shall be expended for programs to Indian tribes.

EFFECTIVE DATE

Section 6 provides that the amendments made by this Act shall take effect on October 1, 1983.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 20, 1964

AN ACT to mobilize the human and financial resources of the Nation to combat poverty in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Act of 1964".

TITLE I—FOLLOW THROUGH PROGRAMS

SHORT TITLE

SEC. 101. This title may be cited as the "Follow Through Act".

STATEMENT OF PURPOSE

SEC. 102. The purpose of this title is to provide financial assistance to develop and implement successful programs, projects, and activities designed to assist local educational agencies to help primarily low-income children previously enrolled in Head Start or similar programs to continue to develop to their full potential in kindergarten and the primary grades. Such programs, projects, and activities for which financial assistance may be provided under this title shall be known as "Follow Through programs".

DEFINITIONS

SEC. 103. For purposes of this title—

(1) the term "Commission" means the National Commission on Follow Through Education established in section 116;

(2) the term "financial assistance" includes assistance provided by grant, agreement, or contract, and in the form of payments which may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments;

(3) the term "Secretary" means the Secretary of Education unless the context specifies otherwise; and

(4) the term "State" means any of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

FINANCIAL ASSISTANCE FOR FOLLOW THROUGH PROGRAMS

SEC. 104. (a) The Secretary is authorized to provide financial assistance to local educational agencies, combinations of such agencies, and, as provided in subsection (b), any other public or appropriate nonprofit private agencies, organizations, and institutions for the purpose of carrying out Follow Through programs focused primarily on children from low-income families in kindergarten and the primary grades, including such children enrolled in private nonprofit elementary schools, who were previously enrolled in Head Start or similar programs. Other children in kindergarten and the primary grades, including such other children enrolled in private nonprofit elementary schools, who were previously enrolled in pre-

school programs of a compensatory nature which received Federal financial assistance may participate in Follow Through programs.

(b) Whenever the Secretary determines—

(1) that a local educational agency receiving assistance under subsection (a) is unable or unwilling to include in a Follow Through program children enrolled in nonprofit private schools who would otherwise be eligible to participate therein; or

(2) that it is otherwise necessary in order to accomplish the purposes of this section;

the Secretary may provide financial assistance for the purpose of carrying out a Follow Through program to any other public or appropriate nonprofit private agency, organization, or institution.

(c) Follow Through programs to be assisted under this section shall provide such comprehensive educational, health, nutritional, social, and other services as will aid in the continued development of children described in subsection (a) to their full potential. Such programs shall provide for the direct participation of the parents of such children in the development, conduct, and overall direction of the program at the local level. If the Secretary determines that participation in the program of children who are not from low-income families will serve to carry out the purposes of this section, the Secretary may provide for the inclusion of such children from non-low-income families, but only to the extent that their participation will not dilute the effectiveness of the services designed for children described in subsection (a).

AUTHORIZATION OF APPROPRIATIONS

SEC. 105. (a)(1) There is authorized to be appropriated for carrying out the purposes of this title, other than section 116, $22,150,000 for fiscal year 1984 and $23,000,000 for fiscal year 1985.

(2) Funds appropriated under this section shall remain available for obligation and expenditure during the fiscal year succeeding the fiscal year for which they are appropriated.

(b) Financial assistance extended under this title for a Follow Through program shall not exceed 80 percent of the approved costs of such assisted program, except that the Secretary may approve assistance in excess of such percentage if the Secretary determines, in accordance with rules establishing objective criteria, that such action is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including plant, equipment, or services. The Secretary shall not require non-Federal contributions in excess of 20 percent of the approved costs of Follow Through programs assisted under this title.

(c) No Follow Through program shall be approved for assistance under this title unless the Secretary is satisfied that the services to be provided under such program will be in addition to, and not in substitution for, services previously provided without Federal assistance. The requirement imposed by the preceding sentence shall be subject to such rules as the Secretary may issue.

RESEARCH, DEMONSTRATION, AND PILOT PROJECTS

SEC. 106. (a) The Secretary shall provide financial assistance through grants or contracts for research, demonstration, or pilot

projects conducted by public and private agencies which are designed to test or to assist in the development of new approaches or methods that will aid in overcoming the special problems of primarily low-income children previously enrolled in Head Start or similar programs in continuing to develop to their full potential in kindergarten and the primary grades.

(b) The Secretary shall establish an overall plan to govern the approval of research, demonstration, and pilot projects and the use of all research authority under this title. Such plan shall set forth specific objectives to be achieved and priorities among such objectives.

ANNOUNCEMENT OF RESEARCH, DEMONSTRATION, AND PILOT PROJECT GRANTS AND CONTRACTS

SEC. 107. (a) The Secretary shall make a public announcement concerning—

(1) the title, purpose, intended completion date, identity of the grantee or contractor, and proposed cost of any grant to or contract with a private or non-Federal public agency or organization for any research, demonstration, or pilot project under this title; and

(2) the results, findings, data, or recommendations made or reported as a result of such project.

(b) The public announcements required by subsection (a)(1) shall be made not later than 30 days after making such grants or contracts, and the public announcements required by subsection (a)(2) shall be made not later than 90 days after the receipt of the information described in such subsection.

(c) The Secretary shall take necessary action to assure that all studies, proposals, and data produced or developed with Federal funds employed under section 106 shall become the property of the United States.

(d) The Secretary shall publish summaries of the results of projects carried out pursuant to section 106 not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such summaries.

EVALUATION

SEC. 108. (a) The Secretary, in consultation with the Commission, shall provide, directly or through grants or contracts, for a review and analysis of all previous evaluations and reports made in connection with all Follow Through programs and projects authorized by Acts of Congress in effect after August 20, 1964, and provide a comprehensive evaluative report that measures and evaluates the impact of such programs and projects with regard to (1) their effectiveness in achieving stated goals; (2) their impact on related programs; (3) their impact on preschool/elementary school linkage efforts to maintain and enhance the continuity of the child's development; (4) their structure and mechanism for delivery of services; and (5) their effectiveness in narrowing the gap in successful educational performance between children from low-income families and children from non-low-income families. Such report shall include, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs

and projects, including persons from non-low-income families. Such review and analysis shall be conducted by persons not directly involved in the development, design, administration, or implementation of such programs and projects. Such report shall be submitted to the President and the Congress not later than January 30, 1985.

(b) The Secretary shall develop and publish general standards for evaluation of Follow Through program effectiveness in achieving the purpose of this title. The extent to which such standards have been met shall be considered in deciding whether to renew or supplement financial assistance authorized by this title.

(c) In carrying out evaluations under this title, the Secretary shall, whenever feasible, arrange to obtain the specific views of persons participating in and served by Follow Through programs assisted under this title about such programs.

(d) The Secretary shall publish the results of evaluative research and summaries of evaluations of Follow Through program impact and effectiveness not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such results and summaries.

(e) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with assistance under this section become the property of the United States.

TECHNICAL ASSISTANCE AND TRAINING

SEC. 109. The Secretary shall provide, directly or through grants or other appropriate arrangements (1) technical assistance to Follow Through programs in developing, conducting, and administering programs under this title; and (2) training for specialized or other personnel which is needed in connection with Follow Through programs.

SPECIAL CONDITIONS

SEC. 110. (a) Recipients of financial assistance under this title shall provide maximum employment opportunities for residents of the area to be served, and to parents of children who are participating in Follow Through programs assisted under this title.

(b) Financial assistance under this title shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, nor shall an application for refunding be denied, unless the recipient agency, organization, or institution has been given reasonable notice and opportunity to show cause why such action should not be taken.

(c) Financial assistance under this title shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

COMPARABILITY OF WAGES

SEC. 111. The Secretary shall take such action as may be necessary to assure that persons employed in carrying out Follow Through programs assisted under this title shall not receive com-

pensation at a rate which is (1) in excess of the average rate of compensation paid to a substantial number of persons providing substantially comparable services in the area where the program is carried out, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher; or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938.

NONDISCRIMINATION PROVISIONS

SEC. 112. (a) The Secretary shall not provide financial assistance for any Follow Through program under this title unless the grant or contract with respect thereto specifically provides that no person with responsibilities in the operation thereof will discriminate with respect to any such program, project or activity because of race, creed, color, national origin, sex, political affiliation, or belief.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this title. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if such person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any program, project, or activity receiving assistance under this title.

(c) The Secretary shall not provide financial assistance for any program, project, or activity, under this title unless the grant or contract relating to the financial assistance specifically provides that no person with responsibilities in the operation of the program, project, or activity will discriminate against any individual because of a handicapping condition in violation of section 504 of the Rehabilitation Act of 1973.

LIMITATION WITH RESPECT TO CERTAIN UNLAWFUL ACTIVITIES

SEC. 113. No individual employed or assigned by any Follow Through agency or other agency, organization, or institution assisted under this title shall, pursuant to or during the performance of services rendered in connection with any Follow Through program conducted or assisted under this title, by such Follow Through agency or such other agency, organization, or institution, plan, initiate, participate in, or otherwise aid or assist in the conduct of any unlawful demonstration, rioting, or civil disturbance.

POLITICAL ACTIVITIES

SEC. 114. (a) For purposes of chapter 15 of title 5, United States Code, any agency which assumes responsibility for planning, developing, and coordinating Follow Through programs and receives as-

sistance under this title shall be deemed to be a State or local agency. For purposes of paragraphs (1) and (2) of section 1502(a) of such title, any officer or employee of an agency receiving assistance under this title shall be deemed to be a State or local officer or employee.

(b) Follow Through programs assisted under this title shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or (3) any voter registration activity. The Secretary, after consultation with the Director of the Office of Personnel Management, shall issue rules to provide for the enforcement of this section, which shall include provisions for summary suspensions of assistance or other action necessary to permit such enforcement on an emergency basis.

ADVANCE FUNDING

SEC. 115. For the purpose of affording adequate notice of funding available under this title, appropriations for carrying out this title are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which such appropriations are available for obligation.

NATIONAL COMMISSION ON FOLLOW THROUGH EDUCATION

SEC. 116. (a) There is hereby established a National Commission on Follow Through Education which shall consist of 15 members as follows:

(1) Except as provided in subsection (c), 5 members shall be appointed by the President.

(2) Except as provided in subsection (c), 4 members shall be appointed by the Secretary.

(3) Five members shall be appointed by the Speaker of the House of Representatives.

(4) One member shall be appointed by the Secretary of Health and Human Services.

Members appointed by the Secretary shall be chosen from among staff and parents involved in Follow Through sponsor agencies, resource centers, and local programs and projects. Other members appointed shall be chosen from among persons who have special knowledge concerning kindergarten and primary grade education of children primarily from low-income families, and persons who have special training or experience in comprehensive early childhood development and services.

(b) Members shall serve for the life of the Commission.

(c)(1) The initial appointment of members shall be made not later than 90 days after the effective date of this section. The Speaker of the House of Representatives shall make any appointments not made by the President or the Secretary within such 90-day period.

(2) An appointment to fill a vacant position on the Commission shall be made in the same manner as the initial appointment is made. Any 90-day period applicable to the initial appointment to such position shall apply with respect to an appointment made under this paragraph, except that such period shall begin on the date the vacancy arises.

(d) The President shall appoint a chairperson from among members appointed to the Commission. If the President fails to appoint a chairperson within the 90-day period beginning on the date such appointment may be made, then the Speaker of the House of Representatives shall appoint a chairperson.

(e) The Commission shall meet at the call of the chairperson, but not less frequently than quarterly. Ten members of the Commission shall constitute a quorum.

(f) The Commission shall—

(1) review all pertinent research and evaluations of research, demonstration, and pilot projects conducted with financial assistance provided in connection with all Follow Through programs and projects authorized by Acts of Congress in effect after August 20, 1964;

(2) determine, on a comparative basis, the most effective approaches developed through Follow Through conducive to replication on a national basis;

(3) recommend Federal, State, and local actions necessary to facilitate the replication of effective approaches on such basis, including the use of such approaches in other compensatory education programs, and in general education programs, for children in kindergarten and the primary grades; and

(4) submit to the President and to the Congress, not later than January 30, 1985, a report describing the activities of the Commission and detailing the findings, determinations, and recommendations of the Commission.

(g)(1) Members of the Commission shall be paid compensation at a rate not to exceed the daily equivalent of the minimum annual rate of basic pay payable from time to time for grade GS–18 of the General Schedule in section 5332 of title 5, United States Code, including traveltime, for each day during which they are engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission, while serving away from their places of residence or regular places of business, shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons in the Government service employed intermittently are allowed travel expenses under section 5703 of title 5, United States Code.

(h)(1) With the approval of the Commission, the Chairperson of the Commission may appoint such additional personnel as the Chairperson deems appropriate to assist the Commission in carrying out its activities.

(2) Such personnel may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to subchapter 51 and subchapter III of chapter 53 of such title (relating to classification and General Schedule pay rates), except that no individual so appointed may receive pay in excess of the minimum annual rate of

basic pay payable from time to time for GS-15 of the General Schedule in section 5332 of title 5, United States Code.

(i) The Administrator of the General Services Administration shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(j) The Commission is terminated on September 30, 1985.

(k) To carry out the purpose of this section, there is authorized to be appropriated $500,000 for fiscal year 1984 and such sums as may be necessary for fiscal year 1985.

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OMNIBUS BUDGET RECONCILIATION ACT OF 1981

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TITLE VI—HUMAN SERVICES PROGRAMS

Subtitle A—Authorizations Savings for Fiscal Years 1982, 1983, and 1984

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CHAPTER 8—COMMUNITY SERVICES PROGRAMS

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[SUBCHAPTER C—FOLLOW THROUGH PROGRAMS

[SHORT TITLE

[SEC. 661. This subchapter may be cited as the "Follow Through Act".

[FINANCIAL ASSISTANCE FOR FOLLOW THROUGH PROGRAMS

[SEC. 662. (a) The Secretary of Education (hereinafter in this subchapter referred to as the "Secretary") is authorized to provide financial assistance in the form of grants to local educational agencies, combinations of such agencies, and, as provided in subsection (b), any other public or appropriate nonprofit private agencies, organizations, and institutions for the purpose of carrying out Follow Through programs focused primarily on children from low-income families in kindergarten and primary grades, including such children enrolled in private nonprofit elementary schools, who were previously enrolled in Head Start or similar programs. Other children in kindergarten and primary grades, including such other children enrolled in private nonprofit elementary schools, who were previously enrolled in preschool programs of a compensatory nature which received Federal financial assistance may participate in such Follow Through programs.

[(b) Whenever the Secretary determines—

[(1) that a local educational agency receiving assistance under subsection (a) is unable or unwilling to include in a Follow Through program children enrolled in nonprofit private

schools who would otherwise be eligible to participate therein; or

[(2) that it is otherwise necessary in order to accomplish the purposes of this section;

the Secretary may provide financial assistance for the purpose of carrying out a Follow Through program to any other public or appropriate nonprofit private agency, organization, or institution.

[(c) Programs to be assisted under this section shall provide such comprehensive educational, health, nutritional, social, and other services as will aid in the continued development of children described in subsection (a) to their full potential. Such projects shall provide for the direct participation of the parents of such children in the development, conduct, and overall direction of the program at the local level. If the Secretary determines that participation in the project of children who are not from low-income families will serve to carry out the purposes of this section, the Secretary may provide for the inclusion of such children from non-low-income families, but only to the extent that their participation will not dilute the effectiveness of the services designed for children described in subsection (a).

[AUTHORIZATION OF APPROPRIATIONS

[SEC. 663. (a)(1) There is authorized to be appropriated for carrying out the purposes of this subchapter $44,300,000 for fiscal year 1982, $22,150,000 for fiscal year 1983, and $14,767,000 for fiscal year 1984.

[(2) Funds appropriated under this section for fiscal years 1982 and 1983 shall remain available for obligation and expenditure during the fiscal year succeeding the fiscal year for which they are appropriated.

[(b) Financial assistance extended under this subchapter for a Follow Through program shall not exceed 80 percent of the approved costs of the assisted program or activities, except that the Secretary may approve assistance in excess of such percentage if the Secretary determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this subchapter. Non-Federal contributions may be in cash or in kind, fairly evaluated, including plant, equipment, or services. The Secretary shall not require non-Federal contributions in excess of 20 percent of the approved costs of programs or activities assisted under this subchapter.

[(c) No project shall be approved for assistance under this subchapter unless the Secretary is satisfied that the services to be provided under such project will be in addition to, and not in substitution for, services previously provided without Federal assistance. The requirement imposed by the preceding sentence shall be subject to such regulations as the Secretary may adopt.

[RESEARCH, DEMONSTRATION, AND PILOT PROJECTS

[SEC. 664. (a) The Secretary may provide financial assistance through grants or contracts for research, demonstration, or pilot projects conducted by public and private agencies which are designed to test or assist in the development of new approaches or

methods that will aid in overcoming special problems or in otherwise furthering the purposes of this subchapter.

[(b) The Secretary shall establish an overall plan to govern the approval of research, demonstration, or pilot projects and the use of all research authority under this subchapter. Such plan shall set forth specific objectives to be achieved and priorities among such objectives.

[ANNOUNCEMENT OF RESEARCH, DEMONSTRATION, AND PILOT PROJECT CONTRACTS

[SEC. 665. (a) The Secretary shall make a public announcement concerning—

[(1) the title, purpose, intended completion date, identity of the grantee or contractor, and proposed cost of any grant or contract with a private or non-Federal public agency or organization for any research, demonstration, or pilot project under this subchapter; and

[(2) the results, findings, data, or recommendations made or reported as a result of such activities.

[(b) The public announcements required by subsection (a)(1) shall be made not later than 30 days after making such grants or contracts, and the public announcements required by subsection (a)(2) shall be made not later than 90 days after the receipt of such results.

[(c) The Secretary shall take necessary action to assure that all studies, proposals, and data produced or developed with Federal funds employed under this subchapter shall become the property of the United States.

[(d) The Secretary shall publish summaries of the results of activities carried out pursuant to this subchapter not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such summaries.

[EVALUATION

[SEC. 666. (a) The Secretary shall provide, directly or through grants or contracts, for the continuing evaluation of programs under this subchapter, including evaluations that measure and evaluate the impact of programs authorized by this subchapter, in order to determine their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanism for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not directly involved in the administration of the program or project.

[(b) The Secretary shall develop and publish general standards for evaluation of program and project effectiveness in achieving the objectives of this subchapter. The extent to which such standards have been met shall be considered in deciding whether to renew or supplement financial assistance authorized under this subchapter.

[(c) In carrying out evaluations under this subchapter, the Secretary shall, whenever feasible, arrange to obtain the specific views

of persons participating in and served by programs and projects assisted under this subchapter about such programs and projects.

[(d) The Secretary shall publish the results of evaluative research and summaries of evaluations of program and project impact and effectiveness not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such research studies and evaluation summaries.

[(e) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with assistance under this section become the property of the United States.

[TECHNICAL ASSISTANCE AND TRAINING

[SEC. 667. The Secretary may provide, directly or through grants or other appropriate arrangements (1) technical assistance to Follow Through programs in developing, conducting, and administering programs under this subchapter; and (2) training for specialized or other personnel which is needed in connection with Follow Through programs.

[SPECIAL CONDITIONS

[SEC. 668. (a) Recipients of financial assistance under this subchapter shall provide maximum employment opportunities for residents of the area to be served, and to parents of children who are participating in projects assisted under this subchapter.

[(b) Financial assistance under this subchapter shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, nor shall an application for refunding be denied, unless the recipient agency has been given reasonable notice and opportunity to show cause why such action should not be taken.

[(c) Financial assistance under this subchapter shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

[APPLICABILITY OF PROVISIONS OF SUBCHAPTER B

[SEC. 669. The provisions of sections 637 (other than section 637(1)), 653, 654, 655, 656, and 657 shall apply to the administration of this subchapter.

[REPEALER

[SEC. 670. Effective October 1, 1984, the provisions of this subchapter are repealed.]

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NATIVE AMERICAN PROGRAMS ACT OF 1974

TITLE VIII—NATIVE AMERICAN PROGRAMS

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FINANCIAL ASSISTANCE FOR NATIVE AMERICAN PROJECTS

SEC. 803. (a) The Secretary is authorized to provide financial assistance to public and nonprofit private agencies, including but not limited to, governing bodies of Indian tribes on Federal and State reservations, Alaskan Native villages and regional corporations established by the Alaska Native Claims Settlement Act, and such public and nonprofit private agencies serving Hawaiian Natives, and Indian organizations in urban or rural nonreservation areas, for projects pertaining to the purposes of this title. In determining the projects to be assisted under this title, the Secretary shall consult with other Federal agencies for the purpose of eliminating duplication or conflict among similar activities or projects and for the purpose of determining whether the findings resulting from those projects may be incorporated into one or more programs for which those agencies are responsible. *Every determination made with respect to a request for financial assistance under this section shall be made without regard to whether the agency making such request serves, or the project to be assisted is for the benefit of, Indians who are not members of a federally recognized tribe. To the greatest extent practicable, the Secretary shall ensure that each project to be assisted under this title is consistent with the priorities established by the agency which receives such assistance.*

(b) Financial assistance extended to an agency under this title shall not exceed 80 per centum of the approved costs of the assisted project, except that the Secretary may approve assistance in excess of such percentage if the Secretary determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services. The Secretary shall not require non-Federal contributions in excess of 20 per centum of the approved costs of programs or activities assisted under this title.

(c)*(1)* No project shall be approved for assistance under this title unless the Secretary is satisfied that the activities to be carried out under such project will be in addition to, and not in substitution for, comparable activities previously carried out without Federal assistance, except that the Secretary may waive this requirement in any case in which the Secretary determines, in accordance with regulations establishing objective criteria, that application of the requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes of this title.

(2) No project may be disapproved for assistance under this title solely because the agency requesting such assistance is an Indian organization in a nonreservation area or serves Indians in a nonreservation area.

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[DELEGATION OF AUTHORITY

[SEC. 812. (a) The Secretary is authorized to delegate to the heads of other departments and agencies of the Federal Government any of the functions, powers, and duties of the Secretary under this title, as the Secretary may deem appropriate, and to authorize the redelegation of such functions, powers, and duties by the heads of such departments and agencies.

[(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this title.

[(c) Funds appropriated for the purposes of carrying out this title may be transferred between departments and agencies of the Government, if such funds are used for the purposes for which they are authorized and appropriated.]

ADMINISTRATION; DELEGATION OF AUTHORITY

SEC. 812. (a)(1) The general administration of the programs authorized in this Act shall remain within the Department of Health and Human Services and, notwithstanding any authority under any other law, may not be transferred outside of such Department.

(2) The Secretary shall continue to administer grants under section 803 through the Administration for Native Americans. The Commissioner of such Administration may not delegate outside of the Administration the functions, powers, and duties of the Commissioner to carry out such section.

(b)(1) Except as provided in subsection (a)(2), the Secretary may delegate only to the heads of agencies within the Department of Health and Human Services any of the functions, powers, and duties of the Secretary under this title and may authorize the redelegation only within such Department of such functions, powers, and duties by the heads of such agencies.

(2) Funds appropriated to carry out this title, other than section 803, may be transferred between such agencies if such funds are used for the purposes for which they are authorized and appropriated.

(c) Nothing in this section shall be construed to prohibit interagency funding agreements made between the Administration for Native Americans and other agencies of the Federal Government for the development and implementation of specific grants or projects.

DEFINITIONS

SEC. 813. As used in this title, the term—

(1) "financial assistance" includes assistance advanced by grant, agreement, or contract, but does not include the procurement of plant or equipment, or goods or services;

(2) "Indian reservation or Alaskan Native village" includes the reservation of any federally or State recognized Indian tribe, including any band, nation, pueblo, or rancheria, any former reservation in Oklahoma, any community under the jurisdiction of an Indian tribe, including a band, nation, pueblo, or rancheria, with allotted lands or lands subject to a restriction against alienation imposed by the United States or a

State, and any lands of or under the jurisdiction of an Alaskan Native village or group, including any lands selected by Alaskan Natives or Alaskan Natives organizations under the Alaska Native Claims Settlement Act;

(3) "Native Hawaiian" means any individual any of whose ancestors were natives of the area which consists of the Hawaiian Islands prior to 1778[.]; *and*

(4) "Secretary" means the Secretary of the Health and Human Services.

AUTHORIZATION OF APPROPRIATIONS

SEC. 814. *(a)* There are authorized to be appropriated for the purpose of carrying out the provisions of this title, such sums as may be necessary for fiscal years 1979 through 1981.

(b) Not less than 90 percent of the funds made available to carry out the provisions of this title for a fiscal year shall be expended to carry out section 803(a) for such fiscal year.

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SUPPLEMENTAL VIEWS FOR H.R. 2148—FOLLOW THROUGH AMENDMENTS OF 1983

We have serious reservations regarding the need to increase the fiscal year 1984 authorization of appropriations for the Follow Through Program from the currently established level of $14,767,000 to $22,150,000. Similarly, we question the merits of reauthorizing Follow Through for an additional year with a fiscal year 1985 authorization of appropriations of $23,000,000.

The original intent and purpose of the Follow Through Program was to develop, implement, and refine innovative approaches designed to meet the special educational and support service needs of disadvantaged children—approaches that would enable them to retain and build upon the gains recorded through Head Start and similar pre-school compensatory educational experiences.

Follow Through was initiated in 1968. An estimated $750,000,000 has been invested in this program to date. Follow Through has served well its original purpose and goal. It has provided the Nation's educational system with a broad spectrum of proven, replicable models which provide the comprehensive educational, health, nutrition, social and related services necessary to the continued development of its target population.

In our view, Follow Through can and will continue to be an invaluable resource to State and local educators. It can continue to play an important role in the development of education curricula in school districts throughout this nation. To this end, however, it need not be continued as a categorical program with separate and increased authorizations of appropriations.

Under the terms of the Omnibus Budget Reconciliation Act of 1981, Follow Through is scheduled to be phased into Chapter 2 of the Education Consolidation and Improvement Act, beginning at the end of fiscal year 1984.

Since Follow Through models are widely recognized as being tried and proven successful and just cost effective, we believe that many State and local education decision-makers will place a high priority on investing their Chapter 2 ECIA resources in replicating or tailoring Follow Through techniques to meeting their special educational needs.

JOHN N. ERLENBORN.
STEVE BARTLETT.

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